

1 The Honorable David Estudillo
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UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA : Case No: CR23-5085 DGE
: :
v. : STATUS REPORT
: ON HEALTH ISSUES AT THE FDC
: :
RONNIE GRIFFIN : :
: :
Defendant : :

Ronnie Griffin, through and by counsel, Nicholas J. Vitek, respectfully submits this Status Report on the Health Issues he is experiencing at the FDC.

1. Mr. Griffin was arrested on March 22, 2023 and had his initial appearance on March 23, 2023. At that hearing, Mr. Griffin was in a wheelchair and complained of medical issues. The Court advised the Government to address any medical issues that Mr. Griffin may have.
2. On March 29, 2023, Mr. Griffins stipulated to detention without prejudice to review at a later date. At that hearing, Mr. Griffin again renewed his concerns about his medical issues.
3. On May 11, 2023, Mr. Griffin appeared before the Court on a Motion to Continue the Trial. At that hearing, Mr. Griffin, through counsel, argued that an earlier trial was

needed because Mr. Griffin suffered from numerous health issues that were not being resolved at the FDC.

4. On June 12, 2023, Mr. Griffin moved for release, based in part, on the ongoing medical issues at the FDC. At that hearing, Mr. Griffin, through counsel, argued that Mr. Griffin should be released because he has an aortic aneurism that was not being treated, that he had suffered a separated shoulder that has caused him to lose the use of his arm and hand, and that there was a wound on his foot that continued to not heal. The court denied Mr. Griffin's motion for release, finding that the statute on release or detention did not permit Mr. Griffin's release based on current medical needs.

5. On July 17, 2023, undersigned counsel reached out to the United States Marshals Service regarding Mr. Griffin’s medical needs and access to medical care. The USMS informed undersigned counsel that the FDC was aware of the three major medical issues that Mr. Griffin faces, and that three outside medical consultations were “pending.” Requests for outside medical consultations are for when an inmate’s medical needs exceed the FDC’s medical capability but are short of a medical emergency. In such cases, the FDC requests medical services from an outside consultant or agency that is willing to accept patients from the FDC at the rate that the BOP is willing to spend on medical care.

6. On August 8, 2023, undersigned counsel followed up with the USMS regarding the outside consults for Mr. Griffin. Undersigned was informed that there has been no progress on obtaining outside medical consults for Mr. Griffin.

7. On August 29, 2023, Mr. Griffin moved for an emergency order revoking his detention bond, arguing that the Government had willfully or with deliberate indifference denied him medical care because the FDC did not have the inhouse ability to handle Mr. Griffin's medical issues and did not provide meaningful access to outside medical care.

8. On September 19, 2023, counsel for the United States informed undersigned counsel that three specific appointments for outside medical care had been made and that one of those appointments would be completed by October 13, 2023. As this was the first concrete information that Mr. Griffin was potentially receiving outside medical care, the defense agreed to move the hearing to October 13, 2023 to see if care would actually be provided.

9. On October 12, 2023, Mr. Griffin reported to undersigned counsel that he had not obtained any outside appointments for his heart issues or his shoulder. Mr. Griffin did state that the FDC had made progress on the wound on his foot. Mr. Griffin indicated that it was becoming smaller, but still not healed.

10. Counsel for the United States that the appointment that was scheduled before October 13, 2023 was changed because the FDC/USMS believed that a family was aware of the date of the service to be provided. Undersigned counsel has not divulged the actual date of services, so it is unclear why the FDC/USMS articulated this concern. The appointment was rescheduled to early 2024. It is unclear if this is an actual date for the provider to provide medical service, or a placeholder for medical care, further outlined in the defendant's motion for release. The second appointment, which before had a

1 specific date, had now been changed to “Per provider, call back in NOV is booked out
2 till end of December and does not have new calendar yet.” It is presumed that the third
3 appointment remains, but the exact status of that appointment is unknown.

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5 DATED this 16th day of October 2023.

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7 Respectfully Submitted,

8 s/ Nicholas J. Vitek

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